



SPECIAL USE PERMIT APPLICATION

Liberty Lake Planning & Building Services
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A PRE-APPLICATION CONFERENCE IS REQUIRED PRIOR TO SUBMITTAL OF THIS APPLICATION. TO SCHEDULE A PRE-APPLICATION CONFERENCE, PLEASE CONTACT PLANNING & BUILDING SERVICES.

INTENT

The purpose of a special use permit is to allow a permit granted by the Hearing Examiner to locate a regional land use, not specifically allowed by the zoning code applicable to the location, but that provides a benefit to the community and is compatible with other uses in the zoning district in which it is proposed. The special use permit is granted subject to conditions placed on the proposed use to ensure compatibility with adjacent land uses.

Approvals Process

An application for a special use shall be processed as a Type II procedure (Development Code Article 10-4B). The application must meet the following approval criteria.

Criteria, Standards and Conditions of Approval

- A special use permit shall be granted by the City, only if the applicant demonstrates that:
 1. The use will provide a public benefit or satisfy a public need of the neighborhood, zoning district, or City;
 2. The characteristics of the special use will be compatible with the types of uses permitted in surrounding areas;
 3. The special use will not materially endanger the health, safety, and / or welfare of the community;
 4. The proposed location shall not result in either a detrimental over-concentration of a particular use within the City or within the immediate area of the proposed use, unless the proposed use is deemed a public necessity;
 5. The special use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing or projected traffic in the neighborhood;
 6. The special use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or adverse impacts can be mitigated;
 7. Neither the location, size and height of buildings, structures, walls, and fences, nor any screening vegetation for the special use shall hinder or discourage the appropriate development or use of neighboring properties;
 8. The special use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this Code; and
 9. The special use is not in conflict with the standards of the critical areas overlay.
- In granting any special use permit, the Hearing Examiner may prescribe appropriate conditions and safeguards that will ensure that the purpose and intent of this Code will not be violated.

Effective Period

- A decision granting a special use permit shall become effective upon the date of such decision.
- A special use permit automatically expires and is void if the applicant fails to file for a building permit or other necessary development permit within three years of the effective date of the special use permit unless:
 - a. The applicant has received an extension of time for the special use permit subject to criteria below;
or
 - b. The special use permit approval provides for a greater time period.

Extension of Time

The Director may extend a special use permit, not to exceed one year, if:

- Unforeseen circumstances or conditions necessitate the extension of the permit; and
- Termination of the permit would result in unreasonable hardship to the applicant, and the applicant is not responsible for the delay; and
- An extension of the permit will not cause substantial detriment to existing uses in the immediate vicinity of the subject property.

Modification of Special Use Permit

The City may initiate a modification to an approved special use permit. A modification will be processed in the same manner as a new special use permit. Through the modification procedure, the Hearing Examiner may delete, modify, or impose additional conditions upon finding that the use for which the approval was granted has been intensified, changed, or modified by the property owner or by person(s) who control the property without approval so as to significantly impact surrounding land uses.

Special Use Permit to Run With the Land

A special use permit granted pursuant to the provisions of City Development Code Section 10-4I-3 shall continue to be valid upon a change of ownership of the site, business, service, use, or structure which was the subject of the permit application. No other use is allowed without approval of an additional special use permit.

Assurance Device

In appropriate circumstances, the City may require a reasonable performance of maintenance assurance device, in a form acceptable to the City attorney, to assure compliance with the provisions of the Development Code and the Special Use Permit as approved.

Permit Suspension or Revocation

The City may suspend or revoke an approved special use permit only upon finding that:

1. The use for which the approval was granted has been abandoned for a period of at least one year;
or
2. Approval of the permit was obtained by misrepresentation of material fact; or
3. The permit is being exercised contrary to the terms of approval.

APPLICATION - PART 1

ANSWER THE FOLLOWING, AS APPLICABLE (ANSWER N/A IF NOT APPLICABLE)

APPLICANT 1:

Name: _____ Contact Person: _____
Mailing Address: _____ Phone: _____
City/State/Zip: _____ Fax Number: _____
Signature: _____ E-mail: _____

APPLICANT 2:

Name: _____ Contact Person: _____
Mailing Address: _____ Phone: _____
City/State/Zip: _____ Fax Number: _____
Signature: _____ E-mail: _____

AGENT/ CONSULTANT/ ATTORNEY: (mandatory if primary contact is different from applicant or property owner)

Name: _____ Contact Person: _____
Mailing Address: _____ Phone: _____
City/State/Zip: _____ Fax Number: _____
Signature: _____ E-mail: _____

PROPERTY OWNER:

Name: _____ Contact Person: _____
Mailing Address: _____ Phone: _____
City/State/Zip: _____ Fax Number: _____
Signature: _____ E-mail: _____

PROPERTY OWNER 2 : (if more than two property owners attach additional info/signature sheets)

Name: _____ Contact Person: _____
Mailing Address: _____ Phone: _____
City/State/Zip: _____ Fax Number: _____
Signature: _____ E-mail: _____

The above signed property owners certify that the above information is true and correct to the best of our knowledge and under penalty of perjury, each state that we are all of the legal owners of the property described above and designate the above listed agent/consultant/attorney to act as our agent with respect to this application.

PROJECT INFORMATION

Special Use Project: _____

Site Address / Location: _____

Parcel Number(s) of Project / Proposal: _____

Legal Description of Project / Proposal: _____

Section____ Township____ Range____ Source of Legal Description: _____

Parcel Size(s): _____

Adjacent Area Owned or Controlled (acres or sq. ft.): _____

Parcel Number(s) of Adjacent Area: _____

Existing Use of Subject Property: _____

Describe proposed use of the property, noting change from "existing use": _____

Zoning Designation: _____ Land Use Designation: _____

School District: _____ Fire District: _____

Sewer Purveyor: _____ Water Purveyor: _____

List Previous Planning Actions Involving Subject Property: _____

Name of Public Road(s) Providing Access: _____

Width of Property Fronting on Public Road: _____

Does the Proposal Have Access to an Arterial or Planned Arterial: ☐ YES ☐ NO

Name of Arterial Road(s): _____

APPLICATION - PART 2

THE ITEMS BELOW MUST BE SUBMITTED WITH YOUR APPLICATION, AS APPLICABLE:

☐ **APPLICATION FORM**

Submit completed application on the attached form with all signature blocks completed and non-refundable application fees and associated environmental fees (contact Planning & Building Services for a copy of the current fee schedule). *Acceptance of the application and fees does not guarantee approval of the special use permit).*

☐ **AGREEMENT TO PAY FEES**

☐ **BURDEN OF PROOF FORM**

Provide a narrative report documenting compliance with all applicable approval criteria listed above (Development Code Section 10-4I-3, Subsection D)

☐ **SITE ANALYSIS MAP (EXISTING SITE CONDITIONS)** - Submit 1 hard copy of the site analysis map drawn to scale and 1 .pdf (on CD). At a minimum the site map shall contain the following, as applicable:

- a. The applicant's entire property and the surrounding property to a distance sufficient to determine the location of the development in the City, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions, and gross area shall be identified;
- b. Identification of slopes greater than 10 percent and provide topographic contour lines shown at a five (5) foot minimum interval if over 6 percent;
- c. The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjacent to the site;
- d. Potential natural hazard areas, including any areas identified as subject to a 100-year flood, areas subject to high water table, and areas mapped by the City, County, or State as having a potential for geologic hazards;
- e. Resource areas, including marsh and wetland areas, streams, wildlife habitat identified by the City or any natural resource regulatory agencies as requiring protection;
- f. Site features, including existing structures, pavement, rock outcroppings, areas having unique views, and drainage ways, canals, and ditches;
- g. Locally or federally designated historic and cultural resources on the site and adjacent parcels or lots;
- h. The general location, size, and species of existing trees and other vegetation having a caliper (diameter) of 12 inches or greater at four feet above grade;
- i. North arrow, scale, and names and addresses of all persons listed as owners on the most recently recorded deed.
- j. Name and address of project designer, contact person, engineer, surveyor, and/or planner, as applicable.
- k. Other information, as determined by P&CD. The City may require studies or exhibits prepared by qualified professionals to address specific site features.

☐ **ASSESSOR'S SECTION MAPS**

Submit 1 copy of current County Assessor maps showing the subject property outlined in red and adjacent property owned or under option to the owner or sponsor (indicate adjacent property with a red dashed line). Adjacent includes property located across roads and rivers, etc.

Assessor maps are available at the County Assessor's Office and must be current (less than 30 days old) at the time of submittal and stamped by a licensed land surveyor. Platted (1"=200') and range (1"=400') parcel maps must be obtained, as you may need both sets, depending on your property location. The maps are used for legal notification of property owners adjacent to the property (shown in red).

Note: The property does not have to be surveyed at this time. The map stamped by a licensed land surveyor verifies the written legal description for the subject property is an approximate representation on the map.

- ☐ **ZONING SECTION MAP**

Submit **1** copy of the official zoning map with the zoning labeled on the property. The zoning boundary shall be stamped by a licensed land surveyor. Copies of official zoning maps are obtainable from the City of Liberty Lake. (The written legal description(s) on the application form and the zoning boundary(s) shown on the map shall coincide).

Note: The property does not have to be surveyed at this time. The map stamped by a licensed land surveyor verifies the written legal description for the subject property is an approximate representation on the map.
- ☐ **LEGAL DESCRIPTION**

The source of the legal description shall be clearly indicated and the legal description shall be stamped by a licensed land surveyor.
- ☐ **ENVIRONMENTAL CHECKLIST**
- ☐ **CERTIFICATE OF WATER & SEWER AVAILABILITY**

Submit **1** copy of a signed certificate of water availability from the water purveyor and 1 copy of a letter from the sewer purveyor discussing how sewer will be provided to the site (size of lines and improvements required to connect) and whether the required improvements are in conformance with the approved sewer comprehensive plan or an amendment to the sewer comprehensive plan is required.
- ☐ **REQUIRED PUBLIC NOTICE** - Planning & Building Services staff will provide you with the preparation instructions at the Pre-Application Conference.
- ☐ **SITE PLAN**

Submit **1** hard copy of the proposal (11" x 17" minimum), stamped by a licensed land surveyor, with written legal description and **1** .pdf (on CD). At a minimum the Site Plan shall contain the following, as applicable:

 - a. Scale of drawing & North arrow
 - b. Vicinity map
 - c. Site area showing property boundaries & dimensions
 - d. Width and names of streets adjacent to the site
 - e. Existing buildings
 - f. Proposed buildings (including exterior decks/balconies) showing dimensions and distance to property boundaries
 - g. Height of all structures
 - h. Parking areas/ spaces/ driveways
 - i. Landscaping
 - j. Fencing
 - k. Topography of the site
 - l. Easement(s) affecting the use of the property
 - m. Septic tank, drainfield, and well
 - n. Dimensions from proposed structures to the ordinary high-water mark of all water bodies
 - o. Location and size of all wetlands
 - p. Easement which provides access to the public street
 - q. Access, if different from easement
- ☐ **PRELIMINARY GRADING PLAN**

Submit **1** hard copy (11" x 17" minimum), stamped by a licensed engineer and **1** .pdf (on CD)
- ☐ **ARCHITECTURAL DRAWINGS OF ALL STRUCTURES**

Submit **1** hard copy (11" x 17" minimum), stamped by a licensed architect / engineer and **1** .pdf (on CD)
- ☐ **DRAWINGS OF ALL PROPOSED SIGNS**

Submit **1** hard copy (11" x 17" minimum) and **1** .pdf (on CD)

☐ **A COPY OF ALL EXISTING AND PROPOSED RESTRICTIONS OR COVENANTS**

☐ **LANDSCAPE PLAN**

Submit **1** hard copy (11" x 17" minimum), stamped by a licensed landscape architect and **1** .pdf (on CD). At a minimum the Landscape Plan shall contain the following, as applicable:

- a. The location and height of existing and proposed fences and other buffering or screening materials;
- b. The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;
- c. The location, size, and species of the existing and proposed plant materials (at time of planting);
- d. Existing and proposed building and pavement outlines;
- e. Specifications for soil at time of planting and anticipated planting schedule.
- f. Irrigation system (if plantings are not drought-tolerant, may be automatic or other approved method of irrigation)
- g. Other information as deemed appropriate by P&CD. An arborist's report may be required for sites with significant vegetation that is protected under City Development Code Article 10-3C.

☐ **OTHER EXHIBITS OR APPLICATIONS**

☐ **CONCERNS OR NOTES**

APPLICATION - PART 3

SURVEYOR VERIFICATION

I, THE UNDERSIGNED, A LICENSED LAND SURVEYOR, HAVE COMPLETED THE INFORMATION REQUESTED. THE MAP / SITE PLAN HAS BEEN PREPARED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF LIBERTY LAKE ZONING / SUBDIVISION REGULATIONS AND THE LAWS OF THE STATE OF WASHINGTON.

PRINTED NAME: _____ PHONE: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

SIGNATURE OF SURVEYOR _____ DATE _____

I, THE UNDERSIGNED, SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT THE ABOVE RESPONSES ARE MADE TRUTHFULLY AND TO THE BEST OF MY KNOWLEDGE. I FURTHER SWEAR OR AFFIRM THAT I AM THE OWNER OF RECORD OF THE AREA PROPOSED FOR THE PREVIOUSLY IDENTIFIED LAND USE ACTION, OR, IF NOT THE OWNER. ATTACHED HEREWITH IS WRITTEN PERMISSION FROM THE OWNER AUTHORIZING MY ACTIONS ON HIS/HER BEHALF.

PRINTED NAME: _____ PHONE: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

SIGNATURE OF APPLICANT OR REPRESENTATIVE _____ DATE _____

STATE OF WASHINGTON)
) ss:
CITY OF LIBERTY LAKE)

Notary: Signed and sworn to before me this _____ day of _____, 20_____

Notary Public in and for the State of Washington

Residing at: _____

My Appointment Expires: _____

**THIS APPLICATION AND ALL SUPPORTING MATERIAL REQUIRED BY THE CITY MUST BE
SUBMITTED AT THE TIME OF APPLICATION IN ORDER FOR THE APPLICATION TO BE COMPLETE.
(PLANNING & BUILDING SERVICES OFFICE USE ONLY)**

DATE RECEIVED: _____

RECEIVED BY: _____

DATE COMPLETE: _____

FILE NUMBER: _____

TOTAL FEES: _____

RECEIPT NUMBER: _____

ADDITIONAL INFORMATION: _____
